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2 A. Tim Hernandez.

3 Q. Who is he?

4 A. He's legal.

5 Q. What does he do?

6 A. He just watch my back.

7 Q. Does he review any content to make
8 sure that it's lawful?

9 A. No, he just, you know, he respond to
10 all the e-mails, like hey, take this down.
11 Stuff that Theo send, he respond. We take
12 them down.

13 Q. Is he a lawyer?

14 A. Yes.

15 Q. Where is he located?

16 A. Tennessee.

17 Q. Where is Kevin Black located?

18 A. Los Angeles.

19 Q. Who else works for you? By the way,
20 are these two people actually on your
21 payroll, Kevin Black and Tim Hernandez?

22 A. Well, we're working on that, yeah.

23 Q. All right. Who else?

24 A. Chris, Justin.

25 Q. Who is Chris?

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2 MS. STETSON: About his
3 testimony?

4 MR. ZARIN: Karen, I'm not a
5 witness here. He is. If you want to
6 proceed with questions for him, then
7 please go ahead.

8 MS. STETSON: My understanding
9 is that during a deposition it's not
10 appropriate to discuss testimony.
11 That's why I'm asking that.

12 MR. ZARIN: Okay, well, we can
13 take it up with the magistrate
14 judge --

15 MS. STETSON: I'll take that as
16 a yes then.

17 MR. ZARIN: You will take it as
18 nothing.

19 Q. Now I understand your testimony is you
20 were not intending to make your website look
21 like it was a specific either 50 Cent website
22 or a G-Unit website; is that your testimony?

23 A. Correct.

24 Q. Okay. With that being the case, what
25 was your intent? Let's just talk about

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2 Exhibit 3, then. What was it that you were
3 trying to convey, if not a G-Unit website by
4 that image?

5 A. Well, it was a Whoo Kid, my
6 affiliation with Whoo Kid, that's the only
7 reason why the images were -- you know, why
8 the image is up. Just that because at that
9 time, you know, I used to -- I worked for
10 Whoo Kid and Shadyville which is affiliated
11 with G-Unit, so at that time, you know, I
12 was, you know, I had my site, but it was just
13 promoting Whoo Kid. The images all promoting
14 Whoo Kid. Whoo Kid is on every image.

15 Q. He's not the only person on that
16 image, is he?

17 A. Well, he's with the other G-Unit
18 members that work for him. They all work for
19 him.

20 Q. 50 Cent works for Whoo Kid?

21 A. Well, I mean they all kind of like all
22 togetherness with. They're all affiliated,
23 associated.

24 Q. Who is the leader of G-Unit?

25 A. 50 Cent.

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2 Q. Who is the boss?

3 A. Eminem. 50 Cent. 50 Cent.

4 Q. Who are all of the different people
5 that are --

6 A. They're all G-Unit members, including
7 Whoo Kid.

8 Q. Name them.

9 A. That's Yayo, Buck, Banks, 50 and Whoo
10 Kid.

11 Q. Do you know where those images that
12 were used on that masthead were taken from?

13 A. They're all from -- I'm not -- we, I
14 never know where they come from, but they're
15 all from like, I think, mixtapes because you
16 can tell by Whoo Kid's mixtapes there's many
17 different looks and images and, you know,
18 probably from a mixtape.

19 Q. Who put that image together, Exhibit
20 3?

21 A. I don't know. That's so many years
22 ago, I don't know.

23 Q. Who are the possibilities?

24 A. It was a company that I was trying to
25 just, you know, roll with -- I think I paid

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2 \$40 for that image.

3 Q. How much?

4 A. 40 bucks.

5 Q. Do you think that for \$40 that you
6 would have the right to use those various
7 images of the members of G-Unit to promote
8 your website?

9 A. Like I repeated before, my affiliation
10 with Whoo Kid, since I was working for him,
11 is the reason why the other members of G-Unit
12 is because Whoo Kid was also part of G-Unit
13 and I work for Whoo Kid.

14 Q. Do you think that \$40 is an
15 appropriate price to pay to be able to use
16 G-Unit image to promote your website? Do you
17 think that that's a reasonable amount of
18 money?

19 A. Well, I think I got a good deal
20 because sometimes images cost a hundred
21 dollars. Whoo Kid paid a hundred bucks for
22 some of the images on his mixtapes.

23 Q. You don't know what company did this?

24 A. I don't know the company. I don't do
25 it. I don't know. I'm not a graphic

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2 designer. I'm a ninth grade dropout.

3 Q. Like the other image, Exhibit 1,
4 Exhibit 3 was also created at your direction?

5 A. Not my direction. I just said put an
6 artist which are hot at that time. This
7 right here is separate from this, this one.

8 Q. That's Exhibit 1?

9 A. Exhibit 1 is when I decided to -- it
10 was no more. It was also images of the
11 hottest artist at that time.

12 Q. Right. We talked about Exhibit 1.
13 Now I'm talking about Exhibit 3.

14 A. Exhibit 3 was my affiliation with Whoo
15 Kid because I was working for Whoo Kid. I
16 was part of Shadyville.

17 Q. So whatever company, the name that you
18 can't think of right now, what instructions
19 did you give them in order to put together
20 Exhibit 3?

21 A. I said use Whoo Kid image because I
22 work for him, so he decided to put Whoo Kid
23 and his, you know, his family because G-Unit
24 is Whoo Kid's family.

25 Q. So you told them, you know --